



RCE #
2700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 016778/0398

Applicant: Ryuichi KATAYAMA

Title: OPTICAL SYSTEM FOR DETECTING DATA SIGNAL AND
TRACKING ERROR SIGNAL

Application No.: 09/442,773

RECEIVED

Filing Date: November 18, 1999

FEB 05 2004

Examiner: Psitos, Aristotelis M.

Technology Center 2600

Art Unit: 2653

Allowed Date: January 13, 2004

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

- Please enter and consider the amendment/reply previously filed on ____.
 Please consider the Affidavit(s)/Declaration(s) previously filed on ____ but not considered.
 Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on ____.

b. Enclosed are:

- Amendment Accompany RCE.
 Affidavit(s)/Declaration(s).
 Information Disclosure Statement.
 Form PTO-1449 with copies of ____ listed reference(s).
 Transmittal of Formal Drawings (with 12 sheets of formal drawings that include Figures 1-24)

Miscellaneous:

Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months.

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):					
Total Claims:	3	-	20 = 0	x \$18.00	= \$0.00
Independents	2	-	3 = 0	x \$86.00	= \$0.00
			First presentation of any Multiple Dependent Claims: +	\$290.00	= \$0.00
				CLAIMS FEE TOTAL:	= \$770.00

Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$420.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$950.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$0.00
EXTENSION FEE ALREADY PAID:			\$0.00
EXTENSION FEE TOTAL			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$770.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$770.00

Please charge Deposit Account No. 19-0741 in the amount of \$770.00. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$770.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

February 4, 2004
Date

Phillip J. Articola
Phillip J. Articola
Registration No. 38,819

FOLEY & LARDNER
Customer Number: 22428
Telephone: (202) 672-5300
Facsimile: (202) 672-5399



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AMENDMENT ACCOMPANYING RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant acknowledges receipt of a Notice of Allowance in the above-captioned application. Prior to payment of the issue fee, please amend the application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 5 of this document.

Please amend the application as follows: